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a minor by and through his guardian ad litem ROBERT RUCKMAN;
ROBERT RUCKMAN; AMALIA LEAL; and GILARDO LEAL

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

and

PACIFIC GAS & ELECTRIC COMPANY,

Debtors.

☐ Affects PG&E Corporation
☐ Affects Pacific Gas & Electric Company
☒ Affects both Debtors

*All papers shall be filed in the Lead Case
No. 19-30088 (DM)

Case No. 19-30088-DM

Chapter 11

RS No. LKW-001

Date: November 19, 2019

Time: 10:00 a.m.

Place: 450 Golden Gate Avenue, 16th Floor
San Francisco, CA

Judge: Honorable Dennis Montali

Objection Deadline: November 14, 2019
Time: 4:00 p.m. (Pacific Time)

**DECLARATION OF DANIEL RODRIGUEZ IN SUPPORT OF
MOTION FOR RELIEF FROM AUTOMATIC STAY TO
PERMIT LAWSUIT TO PROCEED TO TRIAL AND CONCLUSION**

I, DANIEL RODRIGUEZ, declare:

1. I am an attorney at law admitted to practice law before all courts in the State of California and I am the President of Rodriguez & Associates, a Professional Law Corporation ("Rodriguez & Associates"). Rodriguez & Associates is the attorney of record for Gloria Ruckman; Robert Ruckman, a minor by and through his guardian ad litem Robert Ruckman;

FILED

OCT 28 2019

UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA

1 Robert Ruckman; Amalia Leal; and Gildardo Leal ("Plaintiffs") in a lawsuit filed against Pacific
2 Gas & Electric Company and PG&E Corporation and other persons named as defendants in the
3 lawsuit ("the Other Defendants"). The lawsuit identified as Kern County Superior Court Case
4 No. BCV-15-101699 ("the Lawsuit").

5 2. Plaintiffs' claims against Pacific Gas & Electric Company ("PG&E") and the
6 Other Defendants arise from an incident or incidents that occurred in Kern County, California
7 on or about November 13, 2016, Plaintiffs' claims against the Defendants [including PG&E] are
8 based on claims of General Negligence, Premises Liability, and Strict Liability. The facts
9 giving rise to Plaintiffs' claims against PG&E and the Other Defendants are included in the
10 Third Amended Complaint – Personal Injury filed by Plaintiffs on March 7, 2017 in the Kern
11 County Superior Court ("the Complaint"). A copy of the Complaint is included in the Exhibits
12 as Exhibit "C".

13 3. Plaintiffs' claims against PG&E and the Other Defendants are found in state law
14 and the Kern County Superior Court is familiar with the facts giving rise to Plaintiffs' claims.
15 However, the Kern County Superior Court has stayed prosecution of the Lawsuit. A copy of the
16 Minute Order entered by the Kern County Superior Court confirming that the Lawsuit is stayed
17 is included in the Exhibits s Exhibit "D".

18 4. Plaintiffs' claims against PG&E and the Other Defendants need to be liquidated
19 and Plaintiffs must be permitted to proceed in their litigation against the Other Defendants. The
20 Kern County Superior Court is the best forum to liquidate Plaintiffs' claims against PG&E and
21 the Other Defendants because (a) Plaintiffs' claims are found in state law and (b) the Kern
22 County Superior Court is familiar with the facts giving rise to Plaintiffs' claims.

23 5. The Kern County Superior Court can determine all triable issues of fact
24 concerning Plaintiffs' claims against PG&E and the Other Defendants if the Motion is granted
25 and the Lawsuit is permitted to proceed to trial and conclusion. I believe that the Bankruptcy
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1 Court granting the Motion and permitting the Lawsuit to be tried and concluded in the Kern
2 County Superior Court will promote judicial economy and will be in the best interest of all
3 parties concerned.

4 6. The Lawsuit is "At Issue" and ready to proceed with discovery and to trial if it
5 were not for the automatic stay created by PG&E filing its Chapter 11 cases(s). A copy of a
6 Minute Order entered by the Kern County Superior Court on September 4, 2018 showing that
7 the Lawsuit is "At Issue" and ready to proceed to trial is included in the Exhibits as Exhibit "E".

8 7. Plaintiffs will not take any action against PG&E outside of Debtors' Chapter 11
9 cases if the Motion is granted except to liquidate their claims against PG&E or, in other words,
10 determine the basis and amount of its claims against PG&E under the law. However, Plaintiffs
11 will pursue collections against the Other Defendants and any insurance coverage available to
12 Debtor to the maximum extent allowed by the law if the Motion is granted.

13 8. The foregoing statements are within my personal knowledge and I can testify
14 competently thereto if called as a witness.
15

16 I declare under penalty of perjury that the foregoing statements are true and correct.
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19 Date: October 23, 2019


/s/ Daniel Rodriguez
DANIEL RODRIGUEZ